

Amend 2 Cal. Code Regulations Section 18946 to read:

§ 18946 ~~Reporting and Valuation of Gifts.~~

(a) ~~Scope of Section~~ General Gifts. For purposes of Sections 87207 and 89503, and ~~Except~~ except as specified in ~~2 Cal. Code Regs. sections~~ subdivision (b) below and Regulations 18946.1 through 18946.5, inclusive, 18946.2, 18946.3, 18946.4, and 18946.6 ~~gifts~~ a gift shall be ~~is~~ valued at fair market value as of the date of receipt or promise. ~~Sections 18946.1 through 18946.5~~ Regulations 18946.1, 18946.2, 18946.3, 18946.4, and 18946.6 provide exceptions for the valuation of specific types of gifts ~~in the following situations.~~ These exceptions are:

~~Passes and Season Tickets~~ Ticketed Events — Regulation 18946.1

~~Testimonial Dinners and Events, Invitation-Only Events, and Ceremonial Functions~~ —
Regulation 18946.2

Wedding Gifts — Regulation 18946.3

Tickets to Nonprofit and Political Fundraisers — Regulation 18946.4

~~Prizes and Awards From a Bona Fide Competitions~~ — Regulation 18946.5

Air Transportation — Regulation 18946.6

(b) ~~General Rule for Valuation of Unique Gifts.~~ Whenever the fair market value of a gift cannot readily be ascertained determined because the gift is unique or unusual, ~~the value shall be~~ ~~the cost to the donor, if known or ascertainable.~~ If the cost to the donor is unknown or ~~unascertainable,~~ the recipient ~~filer~~ shall ~~must~~ make a reasonable approximation. ~~In making such an approximation, the recipient shall take into account the price of similar items. If similar items are not available as a guide, based on a good faith estimate shall be utilized.~~

(c) Except as specified in ~~2 Cal. Code of Regs. sections~~ Regulation 18943, 18944, and

1 ~~18946.1, a gift must be valued, for purposes of disclosure and disqualification, Regulation~~
2 18946.1(b), the value of a gift is its full value even if unused, partially used, discarded, or ~~given~~
3 transferred to another person.

4 (d) Definitions: For purposes of this ~~section~~ regulation and ~~2 Cal. Code Regs. sections~~
5 Regulations 18946.1, through 18946.5 18946.2, 18946.3, 18946.4, and 18946.6 and ~~section~~
6 Regulation 18640, the following definitions apply:

7 (1) "Face Value." ~~The term "face value"~~ "Face value" means the price ~~indicated~~ printed
8 on the ticket that indicates the amount at which the ticket was offered for sale to the general
9 public or, if ~~no~~ that price is not indicated, the price at which the ticket ~~or similar pass~~ would
10 otherwise be offered for sale to the general public by the operator of the venue or host of the
11 event who offers the ticket for public sale.

12 (2) "Ticket/Pass." A "ticket" ~~or "pass"~~ means anything that is anything that provides ~~an~~
13 access, entry, or admission privilege to an a specific event or function and for which similar
14 tickets ~~or passes~~ are ~~offered for sale~~ sold to the public.

15 (3) "Pass." A "pass" is an authorization available for purchase by a member of the
16 general public that provides the bearer permission to repeated access, entry, or admission.

17 ~~(3)~~ (4) "Invitation." An "invitation" means a request to attend an event or function by the
18 host, sponsor, or organizer of the event or function, ~~that is not a ticket or pass as defined above in~~
19 ~~subsection (d)(2) of this section and 2 Cal Code Regs. section 18944.1, and~~ where admission to
20 the event is provided by ~~such~~ the invitation only and not by ticket.

21 (5) "Invitation Only Event." An "invitation only event" is a gathering of individuals, by
22 invitation, where costs are incurred to hold the event beyond the costs of providing food.

1 (4) (6) "Specific Item." ~~The term "specific item"~~ "Specific item" means a tangible item
2 ~~received by an official or candidate~~ the official receives at an event that is ~~not~~ included among
3 the non-cash nominal items presented to all attendees at the event.

4 NOTE: Authority cited: Section 83112, Government Code. Reference: Sections 82028, 87207,
5 ~~and~~ 87302, and 89503, Government Code.